

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3528 OF 2005

Kamala Ravi Thapa. ... Applicant.
Versus.
State of Maharashtra. ... Respondent.

Ms.Anjali Iyer for the Applicant.

Ms.M.M.Deshmukh, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 14th June, 2005.

P.C.:

1. Heard the learned Counsel appearing for the Applicant. This Application is for relaxation of the condition incorporated in order dated 12th July 2004. By the said order the Applicant was ordered to be enlarged on bail subject to condition that the Applicant will report to the concerned Police Station on every Sunday between 10 a.m. and 11 a.m. until conclusion of trial.

2. In the Application it is stated that the Applicant is residing at Mumbra in Taluka and District Thane and on every Sunday she is required to attend Nagpada Police Station. It is contended that the Applicant has a 10 years old school going son and there is nobody to look after him. It is stated that the Applicant is suffering from arthritics and she has attended the Police Station on 35 consecutive Sundays without missing a single

Sunday. It is stated that she has attended the dates fixed before the trial Court. The prayer for relaxation is on the ground that she finds it impossible to attend Nagpada Police Station on every Sunday.

3. I have heard the learned Counsel appearing for the Applicant and the learned A.P.P. for the state. Nothing is brought on record to show that the Applicant has not complied with the condition incorporated in the order dated 12th July 2004. Considering the fact that the Applicant has attended the concerned Police Station on 35 consecutive Sundays and considering the distance between Mumbra and Nagpada Police Station, the condition relating to attendance deserves to be relaxed to some extent. Considering the facts and circumstances of the case, the Applicant will have to attend Nagpada Police Station on every first Sunday of the month between 10 a.m. and 11 a.m.

4. Hence the Application is disposed by directing that the condition in order dated 12th July 2004 requiring the Applicant to report to the Nagpada Police Station on every Sunday between 10 a.m. and 11 a.m. until conclusion of the trial is modified to the extent that the Applicant will be required to report to the concerned Police Station on first Sunday of every calender month between 10 a.m. and 11 a.m. until conclusion of the trial. The Application is disposed of

: 3 :

in the above terms.

5. The parties to act on an authenticated copy of this
order.

Judge.